

AGENDA FOR CITY COUNCIL MEETING
Tuesday, January 9, 2007 – 10:00 a.m.
Council Chamber – City Hall

The Midland City Council agenda is posted for public notice at least 72 hours prior to the Tuesday meetings. All requests to be placed on the Council agenda by the public must be submitted to the City Manager, in writing, at least one week before the Council meetings. Such written requests must be in sufficient detail to identify the subject matter as well as the contact person who will represent the matter before the Council. The City Council reserves the right to not consider matters over which the City has no jurisdiction.

❖Item related to City Council goals

1. Invocation – Reverend Paul Byrom, First Baptist Church
2. Pledge of Allegiance
3. Consider the election of Mayor Pro-Tem.

BERRY SIMPSON

MISCELLANEOUS

4. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - a. Presentation of a Proclamation for Midland Independent School District School Board Recognition Month. **PRESENTED**
 - b. Presentation of a Proclamation Midland Christian Football Texas Association of Private and Parochial Schools (TAPPS) Division II State Champions. **PRESENTED**
 - c. Presentation to the City of Midland by the Retired Senior Volunteer Program (RSVP). **PRESENTED**

CONSENT AGENDA

5. Consider a motion approving minutes of the December 19, 2006 City Council Meeting.

APPROVED

6. Consider a resolution authorizing the execution of a purchase agreement with CSA Materials, Incorporated, of San Angelo, Texas, regarding the purchase of hot mix for street construction and repair.

APPROVED

7. Consider a resolution authorizing the sale of a 0.0274 acre narrow strip of land located in Block 24, Moody Addition, City and County of Midland, Texas, to Don Clay of Midland, Texas; the sale of this property, which was not bid, was made in accordance with Chapter 272 of the Texas Local Government Code; adopting the value as determined by an appraisal by the City Manager; and ordering recordation by the City Secretary.

APPROVED

8. Consider a resolution approving ConocoPhillips Company's assignment of its grantee/operator agreement with the City of Midland as it related to Foreign Trade Zone No. 165, Subzone No. 165A, to WRB Refining, LLC.

APPROVED

- ❖9. Consider a resolution approving an economic development agreement between the Midland Development Corporation and the University of Texas System, as authorized by Article 5190.6 of the Texas Revised Civil Statutes, as amended.

APPROVED

10. Consider a resolution authorizing the Office of the City Attorney to file all documents, employ all necessary experts and make all necessary appearances to represent the City of Midland in a lawsuit styled David Elliot v. City of Midland, in the 142nd Judicial District Court, Midland County, Texas, Cause No. CV 45,751.

APPROVED

11. Consider a resolution authorizing Mid-Tex of Midland, Incorporated to award contracts for the construction of suites at Citibank Ballpark; and appropriating funds.

APPROVED

12. Consider a resolution authorizing the execution of a sports agreement with the Midland Softball Association, Incorporated, to administer programs, special events and services related to softball.

APPROVED

13. Consider a resolution authorizing the execution of a sports agreement with the Midland Soccer Association, Incorporated, to administer programs, special events and services related to soccer.

APPROVED

14. Consider a resolution authorizing the execution of a sports agreement with the Midland United Girls Softball Association, Incorporated to administer programs, special events and services related to softball for girls.

APPROVED

15. Consider a resolution authorizing the execution of a sports agreement with the Midland Junior Baseball Association, Incorporated, to administer programs, special events and services related to baseball for all men ages nineteen and younger.

APPROVED

16. Consider a resolution authorizing the execution of a sports agreement with the Greater Midland Football League to administer programs, special events and services related to football.

APPROVED

17. Consider a resolution authorizing the execution of a sports agreement with the Texas Cricket Club to administer programs, special events and services related to cricket.

APPROVED

18. Consider a resolution authorizing the execution of a sports agreement with the Permian Basin United Soccer Association, Incorporated, to administer programs, special events and services related to adult soccer.

APPROVED

19. Consider a resolution authorizing the execution of a sports agreement with the Permian Basin Adult Soccer Association, Incorporated to administer programs, special events and services related to adult soccer.

APPROVED

20. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the Community Development Block Grant Neighborhood Street Paving and Drainage Improvements Project, Project CD-33/8780.

APPROVED

21. Consider a resolution authorizing the execution of a public improvement development agreement with Weidner Investment Services, Incorporated, for Northgate Addition, Section 22; and appropriating funds therefor; said agreement being authorized by Section 395.081 of the Texas Local Government Code.

APPROVED

22. Consider a resolution authorizing the execution of a professional services agreement with Landtec Engineers, L.L.C., for inspection and quality control for the construction of Pit 4-IB at the City of Midland Landfill; and appropriating funds therefor.

APPROVED

23. Consider a resolution authorizing an amendment to the existing professional services agreement with Shaw Environmental, Incorporated; and appropriating funds therefor.

APPROVED

24. Consider a resolution authorizing an amendment to the existing right of way license with Western Gas Resources, Incorporated.

APPROVED

SECOND READINGS

25. Consider an ordinance on second reading amending Title X, "Traffic Regulations", Chapter Four, "Traffic Control Devices", Section 11, "School Zones and Crossings", of the Midland City Code, so as to designate each school zone and school crossing within the city and regulate the speed and movement of traffic therein; authorizing and directing the traffic engineer to install appropriate signs and markings; repealing ordinance No. 8429; containing a cumulative clause;

containing a savings and severability clause; providing for a maximum penalty or fine of two hundred dollars (\$200.00); and ordering publication.

APPROVED

26. Consider an ordinance on second reading providing a maximum time limit of two hours for parking on the eastside of "O" Street, between Texas Avenue and Wall Street in Midland, Texas, and more fully described in Section One hereof, during weekdays between the hours of 8:00 a.m. and 6:00 p.m.; authorizing and directing the Transportation Manager to erect appropriate signs; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two hundred dollars (\$200.00); and ordering publication.

APPROVED

27. Consider an ordinance on second reading establishing a freight loading and unloading zone on the eastside of the north/south alley between Big Spring Street and Marienfeld Street, within Block 28, Original Town Addition, City of Midland, Midland County, Texas; authorizing appropriate signs and markings; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two hundred dollars (\$200.00); and ordering publication.

APPROVED

28. Consider an ordinance on second reading amending the fire district so as to delete therefrom all of Block 10, Parklea Addition, Section 3, City and County of Midland, Texas; directing the building official to amend the fire district map; containing a cumulative clause; and containing a savings and severability clause.

APPROVED

PUBLIC HEARINGS

29. At 11:00 a.m. hold a public hearing and consider an ordinance on a request by Evans I Development, Ltd. For a zone change from AE, Agriculture Estate District, to PD, Planned District for a Housing Development on a 4.18-acre tract of land (Tract 1) and on a 1.38-acre tract of land (Tract 2); and from PD, Planned District for a Housing Development, to an Amended Planned District for a Housing Development, on a 3.48-acre tract of land (Tract 3) and on a 3.86-acre tract of land (Tract 4) all out of Section 8, Block "X", H.P. Hilliard Survey, Midland County, Texas. (Generally located on the east side of N. Midland Drive, approximately ¼ mile north of Mockingbird Lane.)

APPROVED

30. At 11:03 a.m. hold a public hearing and consider an ordinance on a request by David Alldredge for a zone change from PD, Planned District for a Housing Development, to a PD, Planned District for an Industrial District on a 5.307-acre tract of land out of Section 30 and 32, Block 38, T-1-S RR Co. Survey, Midland County, Texas. (Generally located on the east side of Fairgrounds Road, approximately 550 feet east of E. Wadley Avenue.)

APPROVED

31. At 11:06 a.m. hold a public hearing and consider an ordinance on a request by Keith Poe, DDS for an Amended Planned District Site Plan Review on Lot 11, Block 28, Wydeewood Estates, Section 21, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Sunburst Drive and Sunmore Circle.)

APPROVED

32. At 11:09 a.m. hold a public hearing and consider an ordinance on a request by Landgraf, Crutcher and Associates, Inc. for a Specific Use Permit without Term for Tire, Battery and Automotive Accessory Installation or Minor Tune-Up and Repair on Lot 1A, Block 51, Belmont Addition, Section 8, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of W. Summit Avenue and S. Rankin Hwy.)

APPROVED

33. At 11:18 a.m. hold a public hearing and consider an ordinance on a request by The Moss Partnership for a zone change from 1F-1, One-Family Dwelling District, to PD, Planned District for a Housing Development on a 21.88-acre tract of land out of Section 9, Block "X" H.P. Hilliard Survey, Midland County, Texas. (Generally located on the east side of the northward extension of N. Midkiff Road, approximately 1,000 feet north of Mockingbird Lane.)

APPROVED

DEVELOPMENT SERVICES

34. Consider an ordinance amending the fire district so as to delete therefrom Lots 13A, 14A, 15A, and 16A, Block 99, Original Town Addition, Section 2, City and County of Midland, Texas; directing the building official to amend the fire district map; containing a cumulative clause; and containing a savings and severability clause.

APPROVED

35. Consider an ordinance on a request by Juan Cardenas and Maria Cardenas for the vacation of a 0.08-acre portion of the right-of-way of Keenland Drive adjacent

to Lot 21, Block 11, Green Hill Terrace, Section 3, City and County of Midland, Texas. (Generally located north of the intersection of Keenland Drive Widener Strip.)

APPROVED

36. Consider a motion on an interpretation of Title VI, Chapter 1, Section 7 of the Midland City Code, on a request by Patriot Resources on when drilling of an oil and gas well has commenced.

APPROVED

37. Consider a resolution authorizing the execution of a right of way license with Heritage Standard Corporation, for the continued maintenance of a pipeline located in Sections 21, 22, 23 and 25, Block C-23, PSL Survey, and Section 2, Block C-24, PSL Survey, Winkler County, Texas.

DEFERRED

38. Consider a resolution authorizing the advertisement for bids for the sale of real property described as being Lots 8, 9, 10, 11 & 12, Block 56, Original Town, City and County of Midland, Texas; accepting an appraisal setting the fair market value of the property; and requiring that said property be sold “as is” by special warranty deed.

APPROVED

MISCELLANEOUS

39. Consider a motion making appointments to various Boards and Commissions.
 - a. Ratify the appointment of Midland Development Corporation's Ex-Officio's, members.

APPROVED

- ❖40. Consider a motion making appointments to the Mayoral Ad Hoc Convention Center Feasibility Citizen Task Force, which will be an advisory committee with no final decision making authority.

APPOINTED

41. Discuss new proposed regulations related to oil and gas drilling and oil and gas exploration in the City of Midland, and all related matters including but not limited to enforcement and permits. The Council may also discuss current regulations pertaining to the drilling of oil and gas wells.

DISCUSSION HELD

42. Recess to the conference room for lunch.
43. Pursuant to Texas Government Code §551.101, the Council will hold an Executive Session which is closed to the public to discuss the following matters as permitted under the following Texas Government Code Sections:

Deliberation Regarding Real Property, Section 551.072

Discuss the acquisition, lease, and value of real property located in Sections 7, 10-14, 17-27, Block C-23, and Sections 1-7, 12, 17-18, Block C-24, Sections 8-11, 27, Block 74, Section 1, Block 75, PSL Survey, Winkler and Loving Counties, Texas.

Discuss the lease, sale and value of real property described as being Lots 8, 9, 10, 11 & 12, Block 56, Original Town, City and County of Midland, Texas.

Respectfully submitted,

Rick Menchaca
City Manager